

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No.: 23-cv-23903-JB/Goodman

DR. SANDY MONTANO,

Plaintiff,

v.

WASHINGTON STATE DEPARTMENT  
OF HEALTH, *et al.*,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

**THIS CAUSE** is before the Court on Magistrate Judge Jonathan Goodman's Report and Recommendations, ECF No. [70], ("Report") on Defendants' Motions to Dismiss, ECF Nos. [25], [34], [39], [55], [58]. In the Report, Magistrate Judge Goodman recommends that the Court grant the Motions to Dismiss without prejudice and with leave to file an amended complaint. ECF No. [70] at 52. No objections were filed to the Report, and the time to do so has passed.

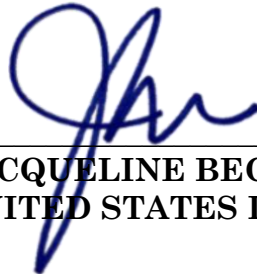
Upon an independent review of the Report, the Motion, the record, and applicable law, it is **ORDERED AND ADJUDGED** as follows:

1. The Report, ECF No. [70], is **AFFIRMED AND ADOPTED**.
2. Defendants' Motions to Dismiss, ECF Nos. [25], [34], [39], [55], [58], are **GRANTED** and the Complaint, ECF No. [1], is **DISMISSED WITHOUT PREJUDICE**.

3. Plaintiff may file an amended complaint that complies with the requirements set forth in the Report by **July 8, 2024**. Failure to do so may result in the dismissal of this action without further notice.

4. If Plaintiff timely files an amended complaint which more than one Defendant seeks to dismiss, the moving Defendants must file a single, joint motion to dismiss the amended complaint. If there are any arguments that pertain to only one Defendant (or one group of Defendants), then that argument (or arguments) should be included in a separate, clearly marked section of the joint motion to dismiss. Plaintiff shall file only one (1) consolidated response, and the moving Defendants are permitted to file a single optional reply.

**DONE AND ORDERED** in Miami, Florida, this 17th day of June, 2024.

A handwritten signature in blue ink, appearing to read 'JB', is written over a horizontal line.

**JACQUELINE BECERRA**  
**UNITED STATES DISTRICT JUDGE**